

PROB 12C
(7/93)Report Date: December 11, 2012
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

Eastern District of Washington

DEC 11 2012

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nicole Lee Sunny Cloud

Case Number: 2:12CR02070-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: 8/16/2010

Original Offense: Conspiracy to Possess with Intent to Distribute, and to Distribute Methamphetamine,
21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(B)Original Sentence: Prison - 28 Months; Type of Supervision: Supervised Release
TSR - 48 Months

Asst. U.S. Attorney: Mary Katherine Dimke Date Supervision Commenced: 3/20/2012

Defense Attorney: Alison Klare Guernsey Date Supervision Expires: 3/19/2016

PETITIONING THE COURT

To issue a warrant and to incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court on 10/2/2012 and 11/19/2012.

The probation officer believes the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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7	<u>Special Condition #17:</u> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
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Supporting Evidence: Ms. Cloud failed to submit to a random urinalysis test on November 20 and 27, 2012.

8	<u>Mandatory Condition # 2:</u> The defendant shall not commit another Federal, state, or local crime.
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Supporting Evidence: On December 5, 2012, Ms. Cloud was charged with assault and battery, Yakama Nation Tribal Court, case number 12-6121.

According to the Yakama Tribal Police narrative report, officers were dispatched to Larue Road in reference to a juvenile leaving the residence. When officers arrived, they spoke with the juvenile's grandmother who related the juvenile was walking on Larue Road heading west. When asked why the juvenile left the residence the grandmother responded, "Because Nicole was at the residence and she (Nicole) was yelling at the juvenile and

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arguing, they may have fought, I'm not sure." When officers inquired if this was the same Nicole who assaulted the juvenile before, the grandmother responded yes.

Officers left the residence and located the juvenile on Larue Road. When asked why she left the residence, the juvenile responded her aunt Nicole showed up at the residence, kicked in her bedroom door, began yelling at her, threw various items at her, and hit her with a pair of pants in the face. The juvenile related the pants hit her in the eye and her eye hurt badly. When asked where she was hit, the juvenile responded, "all over the place." The juvenile was placed in the back of the patrol unit and transported to the tribal police station. The juvenile was then placed in protective custody and turned over to a Child Protective Services social worker.

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Standard Condition # 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Ms. Cloud left the Comprehensive Mental Health Detox Center without permission on December 7, 2012.

On December 7, 2012, Ms. Cloud was directed by this officer to stay at the Detox Center over the weekend so she could sober up and obtain a tuberculosis test so she can enter a long term inpatient drug and alcohol treatment program. Later this same evening, Ms. Cloud left the facility against staff advise.

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The U.S. Probation Office respectfully recommends the Court issue a warrant and incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on October 2, 2012, and November 19, 2012.

I declare under penalty of perjury that the foregoing is true and correct.

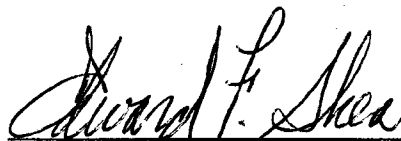
Executed on: 12/11/2012

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other



Signature of Judicial Officer

12/11/12

Date